

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, IN THEIR
CAPACITIES AS TRUSTEES OF THE
LABORERS HEALTH AND WELFARE
TRUST FUND FOR NORTHERN
CALIFORNIA, et al.,

No. C 11-02532 JSW

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Plaintiffs,

v.

CORE CONCRETE CONSTRUCTION, INC.,

Defendant.

This matter comes before the Court upon consideration of the Report and Recommendation issued by Magistrate Judge Beeler, in which she recommends that the Court grant Plaintiffs' motion for default judgment. The Court has considered the Report, finds it well-reasoned and thorough, and adopts it in every respect.

Accordingly, the Court GRANTS Plaintiffs' motion for default judgment. The Court HEREBY AWARDS Plaintiffs \$19,201.21 in delinquent contributions, \$6,915.81 in liquidated damages and interest, \$556.06 in costs, and \$8,033.75 in fees.

It is FURTHER ORDERED that:

Defendant is ordered to submit to an audit by auditors selected by the Trust Funds at Defendant's premises during business hours, or where the records are kept, at a reasonable time or times, and to allow said auditors to examine and copy such books, records, papers, reports of Core Concrete Construction, Inc., a California corporation, relating to the time period beginning November 1, 2009, to the present, that are relevant to the enforcement of the collective

1 bargaining agreement or Trust Agreements, including but not limited to the following:
2 individual earning records (compensation); W-2 forms; 1096 and 1099 forms; reporting forms
3 for all Trust Funds; State DE-3 tax reports; workers compensation insurance report; employee
4 time cards; payroll journal; quarterly payroll tax returns (form 941); check register and
5 supporting cash voucher; Form 1120-1040 or partnership tax returns; general ledger - (portion
6 relating to payroll audit).

7 It is FURTHER ORDERED that the Court shall retain jurisdiction over this action for
8 the limited purpose of permitting Plaintiffs to file a second submission detailing any damages
9 sought from Defendant, excluding the amounts discussed above, for any additional
10 contributions that are revealed by the audit. The Court reserves the right to refer any such
11 submission to Magistrate Judge Beeler for purposes of preparing a report and recommendation
12 on such a submission.

13 **IT IS SO ORDERED.**

14 Dated: February 6, 2012



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE